IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3286 OF 2005

Vithal Bandu Gadhave ... Petitioner

V/s.

Vithal Saidu Lokhande & Ors. ... Respondents

Mr.S.D. Dharmadhikari for Petitioner
Mr.S.S. Shah for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JUNE 28, 2005**

P.C.:

. The Petition challenges the decisions of the Courts below whereby the suit filed by Respondent No.1 has been decreed. The Courts below have concurrently held that defendant No.1 has proved that he requires the premises for the bonafide use of the members of his family i.e., defendant No.1, who is his brother. The premises are required to extend the facilities available in the hospital run by the brother of Respondent No.1 and his wife. Since there are concurrent findings of facts, I see no reason to interfere with the same. Hence, the Petition is dismissed.

2. Mr.Dharmadhikari, appearing for the Petitioner, seeks some time to vacate the suit premises. The

Petitioner is granted time till 31.12.2005 on condition that he and all the adult members in his family file an undertaking in this Court in the usual terms within two weeks from today.